

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

CLARENCE EUGENE JONES,

Civ. No. 09-29-TC

Plaintiff,

ORDER

v.

MAX WILLIAMS, et al.,

Defendants.

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Aiken, Chief Judge:

Magistrate Judge Coffin issued his Findings and Recommendation in the above-captioned case on October 28, 2011. Magistrate Judge Coffin recommends that defendants' motion for summary judgment be granted, finding that plaintiff failed to establish violations of his First Amendment or equal protection rights and that defendants were entitled to qualified immunity on certain claims. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make

a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Plaintiff timely filed objections to the Findings and Recommendation. Upon de novo review, I find no error in the legal conclusions made by Magistrate Judge Coffin, in that plaintiff fails to establish a genuine issue of material fact as to the alleged violations of his First Amendment or equal protection rights.

THEREFORE, IT IS HEREBY ORDERED that Magistrate Judge Coffin's Findings and Recommendation (doc. 157) filed October 28, 2011 is ADOPTED. Defendants' Motion for Summary Judgment (doc. 73) is GRANTED. The Clerk is directed to enter judgment in accordance with this Order.

Should plaintiff appeal, I certify that an appeal from this Order would be taken in good faith.

IT IS SO ORDERED.

Dated this 25th day of January, 2012.



Ann Aiken  
United States District Judge